



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment*

## **TO ALL INTERESTED PARTIES PUBLIC NOTICE**

The application for permit #'s 2007-2667-1IT-P through 2007-2679-1IT-P, Judith M. Pascullis, was advertised by DHEC-OCRM under a separate Public Notice on August 15, 2008, with a comment period suspense date of September 14, 2008. The following Joint Public Notice for this project dated October 24, 2008, is being provided for informational purposes only.

October 24, 2008

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**Ocean and Coastal Resource Management**

**Charleston Office • 1362 McMillan Avenue • Suite 400 • Charleston, SC 29405 • Phone: (843) 953-0200 • Fax: (843) 953-0201 • [www.scdhec.gov](http://www.scdhec.gov)**

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**  
**and the**  
**S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**  
**1362 McMillan Avenue, Suite 400**  
**Charleston, South Carolina 29405**

REGULATORY DIVISION

24 October 2008

Refer to: P/N # 2007-2667-1IT thru 2007-2678-1IT (Revised)

**\*This is a re-issued public notice as the project was revised\***

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**JUDITH M. PASCULLIS et. al.**  
**C/O RICHARD MOLINAROLI**  
**3314 ORWAY STREET**  
**WASHINGTON DC 20008**

for a permit to construct 11 private single use and shared use docks and 1 community canoe launch on

**WARING CREEK and FLOUNDER LAKE**

Located off of Highway 165 across from Long Island Road on Yonges Island, Charleston County, South Carolina (32.71255 Latitude/ 80.22285 Longitude)

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, NOVEMBER 3, 2008**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the construction of 11 private single use and shared use docks and 1 community canoe launch listed as follows:

**2007-2667-1IT** Lot #4 Private Crab Dock: Construction of a 4' X 161' walkway connecting to a 6' X 8' pierhead on Waring Creek. The purpose is to provide Lot #4 with private recreational water access.

Refer to: P/N # 2007-2667-1IT thru 2007-2678-1IT (Revised)

**2007-2668-1IT** Lot #5 Private Dock: Construction of a 4' X 856' walkway connecting to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system, and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #5 with private recreational water access. This private dock is located on Waring Creek.

**2007-2669-1IT** Lot #6 Private Dock: Construction of a 4' X 768' walkway connecting to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system, and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #6 with private recreational water access. This private dock is located on Waring Creek.

**2007-2670-1IT** Lot #7 Private Dock: Construction of a 4' X 478' walkway to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #7 with private recreational water access. This private dock is located on Waring Creek.

**2007-2671-1IT** Lot #8 Private Crab Dock: Construction of a 4' X 30' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #8 with private recreational water access. This private dock is located on Flounder Lake.

**2007-2672-1IT** Shared Community Canoe Launch: Construction of a small canoe launch located between Lot #7 and Lot #8. Purpose of the canoe launch is to provide the community with recreational small craft water access, and is located on Flounder Lake.

**2007-2673-1IT** Lot #9 Private Crab Dock: Construction of a 4' X 30' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #9 with private recreational water access. The private dock is located on Flounder Lake.

**2007-2674-1IT** Lot #10 Private Dock: Construction of a 4' X 29' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #10 with private recreational water access. The private dock is located on Flounder Lake.

**2007-2675-1IT** Lot #11 Private Dock: Construction of a 4' X 68' walkway to a 12' X 18' pier head. The purpose is to provide Lot #11 with private recreational water access. The private dock is located on Flounder Lake.

**2007-2676-1IT** Lot #12 and Lot # 13 Shared Private Crab Dock: Construction of a 4' X 116' walkway to a 8' X 16' pierhead. The purpose is to provide Lot #12 and #13 with private recreational water access. The private dock is located on Flounder Lake.

**2007-2677-1IT** Lot #14 and Lot #15 Shared Private Crab Dock: Construction of a 4' X 163' walkway to a 8' X 16' pierhead. The purpose is to provide Lot #14 and Lot #15 with private recreational water access. The private dock is located on Flounder Lake.

**2007-2678-1IT** Lot #16 and Lot #17 Shared Private Crab Dock: Construction of a 4' X 359" walkway to a 8' X 16" fixed pierhead. The purpose is to provide Lot #16 and Lot #17 with private recreational water access. The private dock is located on Flounder Lake.

**2007-2679-1IT** Please note that this PN number, used in the previous public notice dated December 14, 2007, has been withdrawn as the project was revised and the number of proposed docks reduced from 13 to 12.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 7000 square feet of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Refer to: P/N # 2007-2667-1IT thru 2007-2678-1IT (Revised)

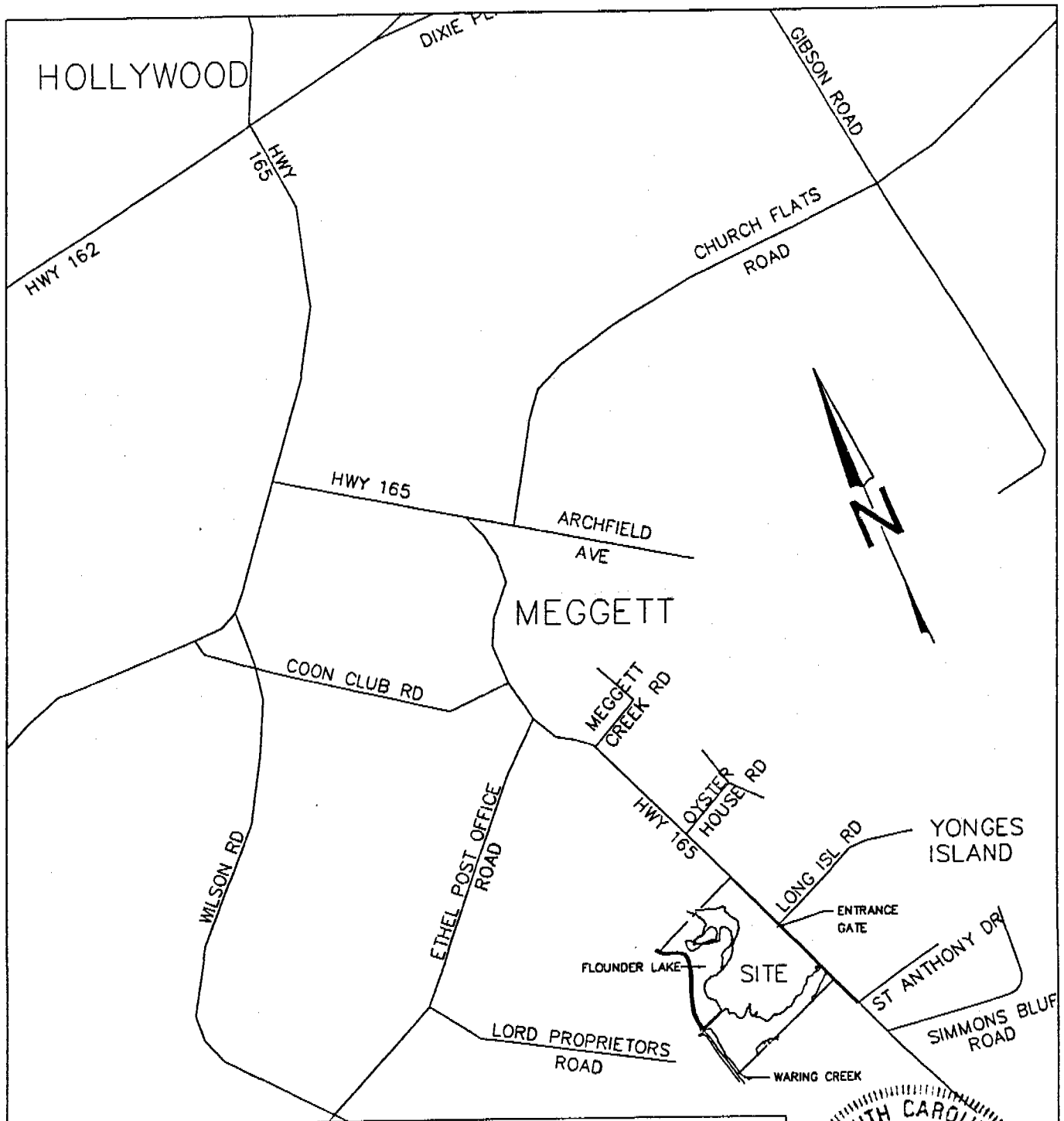
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Tracy C. Dotolo at 843-329-8044 or toll free at 1-866-329-8187.

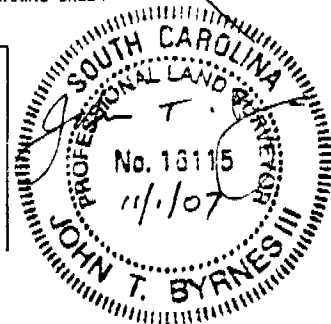
*Bill Eiser*  
*DHEC-ALRM*

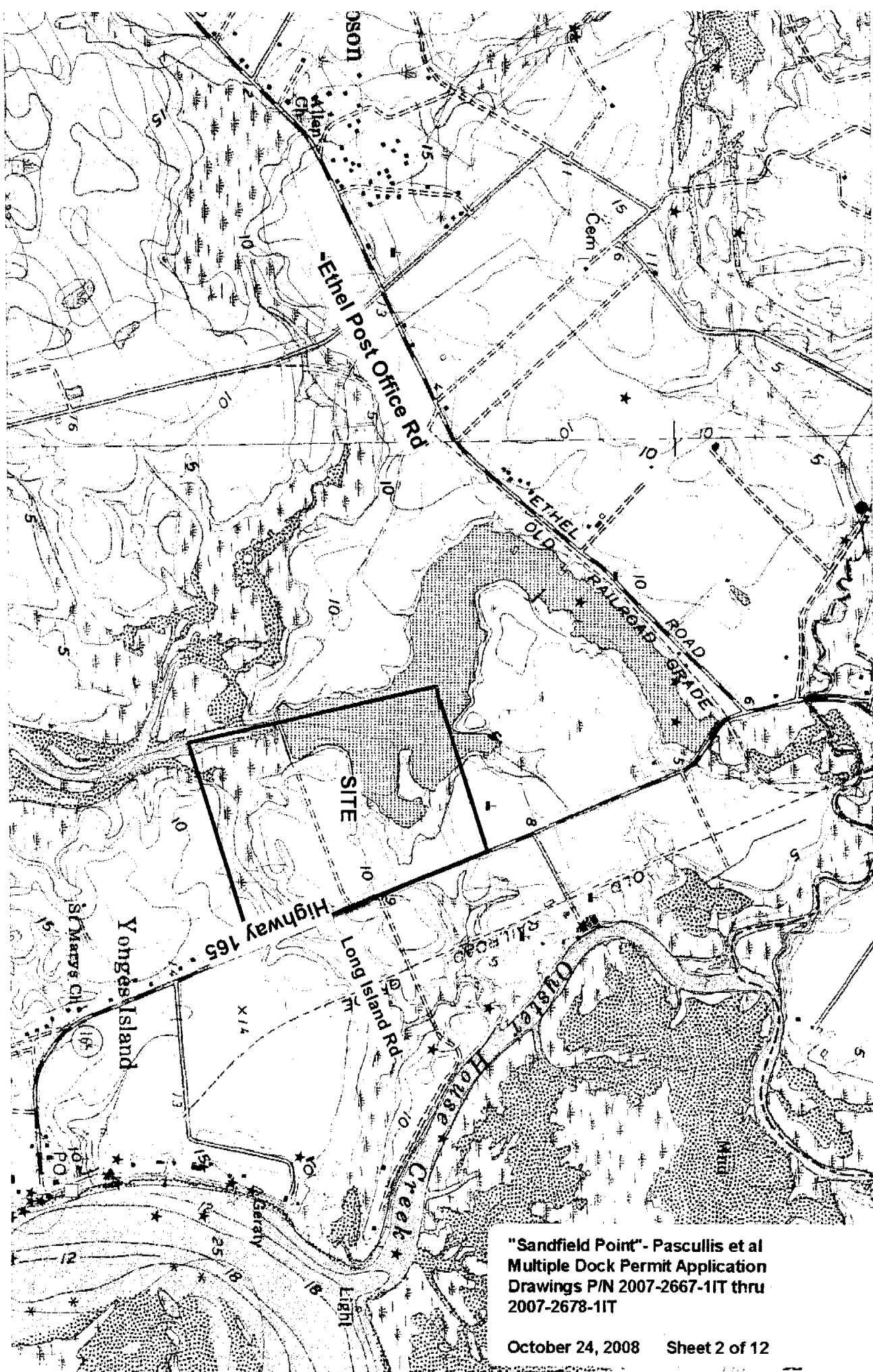


APPLICANT: VITO R. PASCULLIS, AGENT  
 SC 165  
 SUBDIVISION: SANDFIELD POINT  
 TOWN OF MEGGETT  
 CHARLESTON COUNTY  
 TMS #159 00 00 002  
 WATERBODIES: WARING CREEK &  
 FLOUNDER LAKE

LOCATION PLAN  
 NOT TO SCALE

"Sandfield Point" - Pascullis et al  
 Multiple Dock Permit Application  
 Drawings P/N 2007-2667-11T thru  
 2007-2678-11T



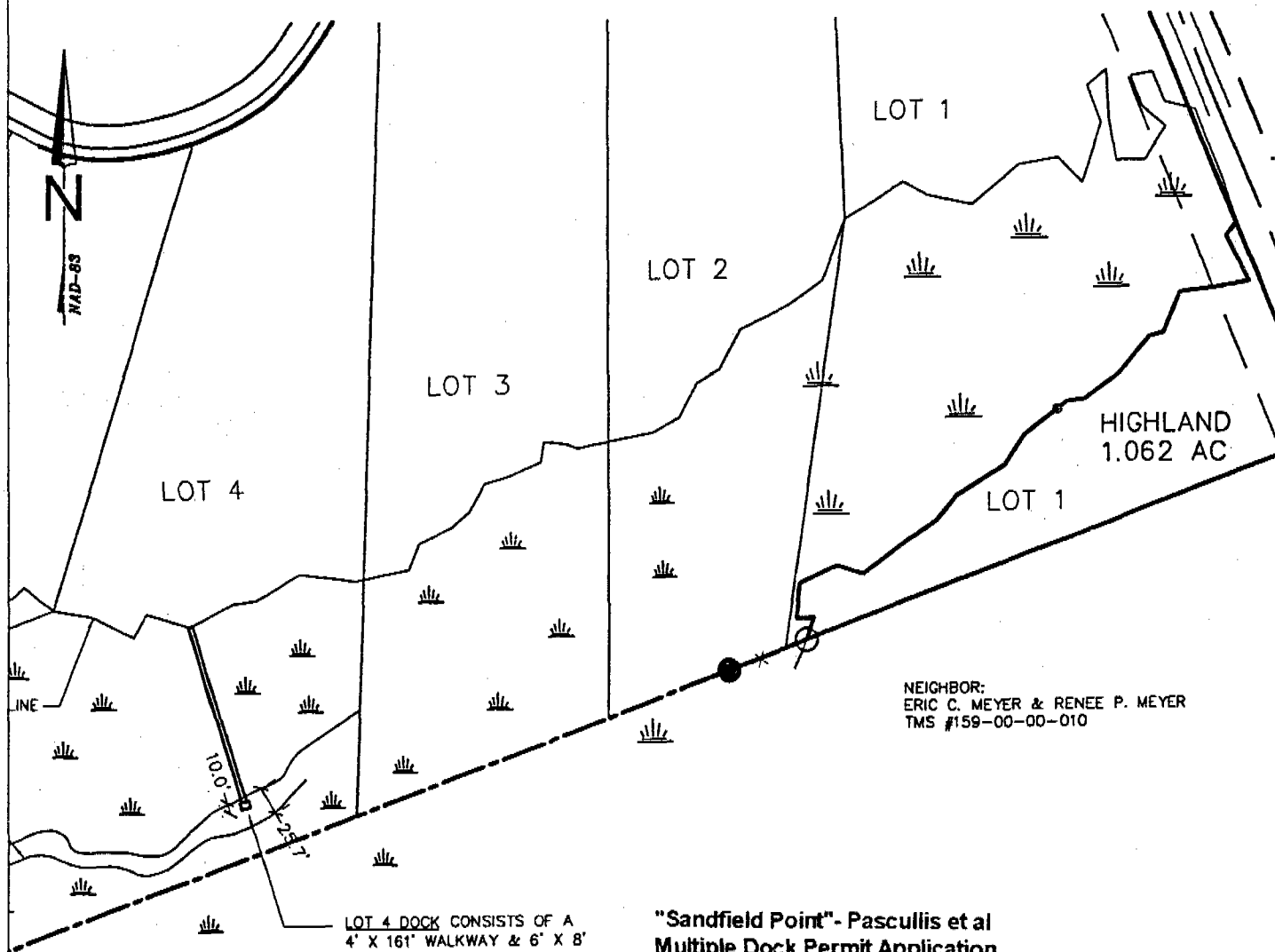


"Sandfield Point" - Pascullis et al  
Multiple Dock Permit Application  
Drawings P/N 2007-2667-1IT thru  
2007-2678-1IT

October 24, 2008 Sheet 2 of 12







NEIGHBOR:  
ERIC C. MEYER & RENEE P. MEYER  
TMS #159-00-00-010

LOT 4 DOCK CONSISTS OF A  
4' X 161' WALKWAY & 6' X 8'  
PIERHEAD

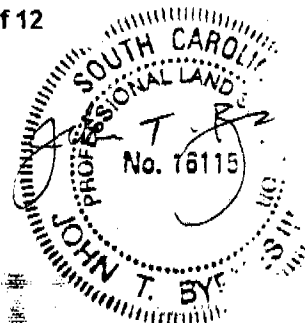
"Sandfield Point"- Pascullis et al  
Multiple Dock Permit Application  
Drawings P/N 2007-2667-1IT thru  
2007-2678-1IT

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APPLICANT: VITO R. PASCULLIS, AGENT  
SC 185  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MEDGETT  
CHARLESTON COUNTY  
TMS #159 00 00 002  
WATERBODY: FLOUNDER LAKE

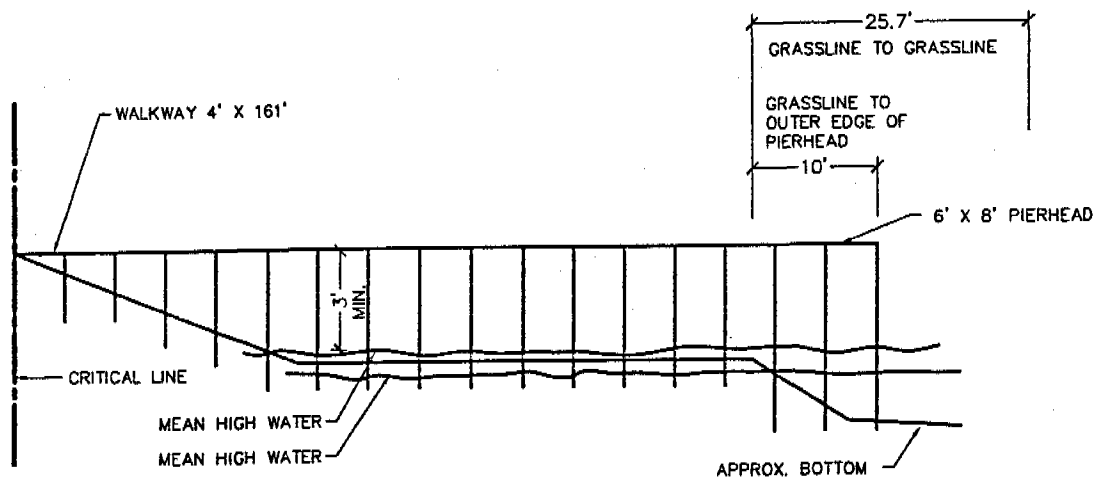
PRIVATE RECREATIONAL CRAB DOCK -  
LOT 4

SCALE: 1" = 150'



REVISED 21 JULY 2008

OCRM DOCK



PRIVATE RECREATIONAL CRAB DOCK  
AT LOT 4

"Sandfield Point"- Pascullis et al  
Multiple Dock Permit Application  
Drawings P/N 2007-2667-1IT thru  
2007-2678-1IT

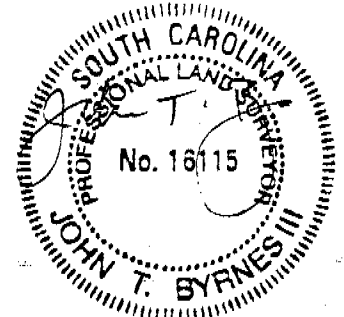
October 24, 2008 Sheet 5 of 12

APPLICANT: VITO R. PASCULLIS, AGENT  
SC 185  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MEOGETT  
CHARLESTON COUNTY  
TMS #159 00 00 002  
WATERBODY: FLOUNDER LAKE

OCRM DOCK

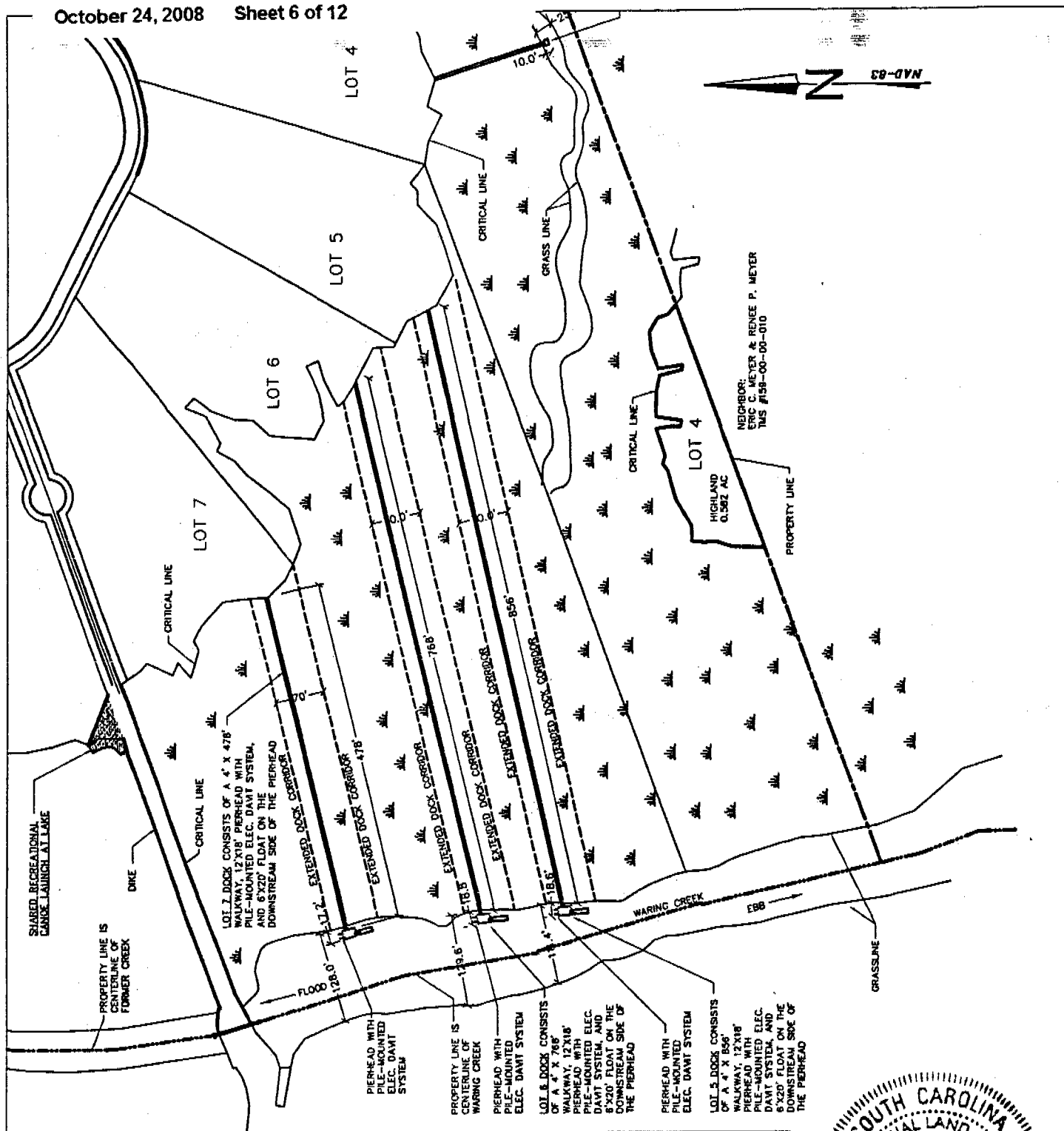
PRIVATE RECREATIONAL CRAB DOCK -  
LOT 4

NOT TO SCALE



REVISED 21 JULY 2008

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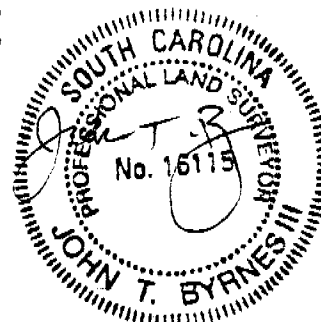
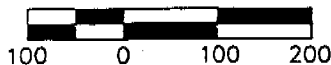


APPLICANT: WITO R. PASCULLIS, AGENT  
 SC 165  
 SUBDIVISION: SANDFIELD POINT  
 TOWN OF MEGGETT  
 CHARLESTON COUNTY  
 TMS #159 00 00 002  
 WATERBODY: WARING CREEK

OCRM DOCK

PRIVATE RECREATIONAL DOCK - LOT 5  
 PRIVATE RECREATIONAL DOCK - LOT 6  
 PRIVATE RECREATIONAL DOCK - LOT 7

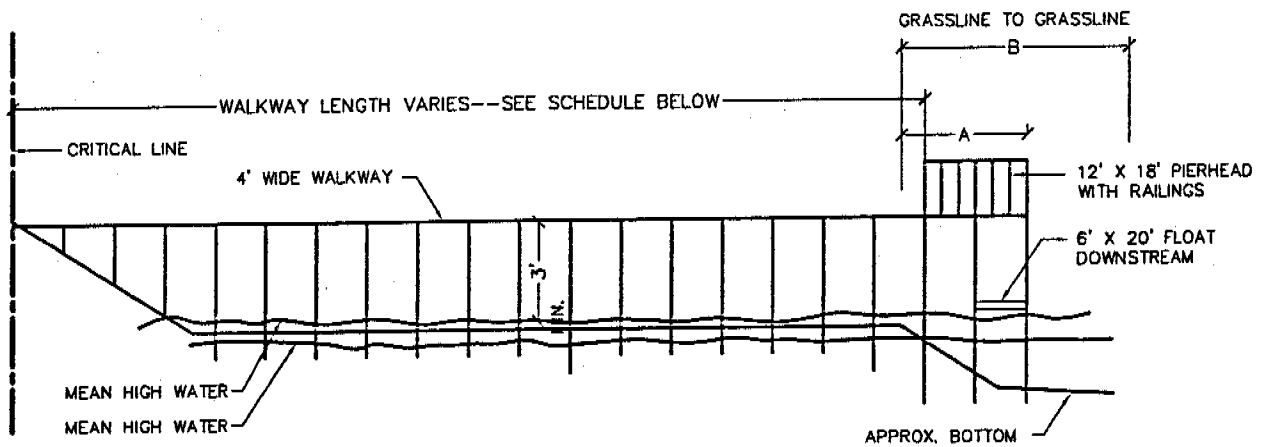
SCALE: 1" = 200'



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"Sandfield Point"- Pascullis et al  
Multiple Dock Permit Application  
Drawings P/N 2007-2667-1IT thru  
2007-2678-1IT

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DOCKS FOR LOTS 5, 6, AND 7 AT  
WARING CREEK

WALKWAY LENGTHS

WALKWAY AT LOT 5: 856'  
WALKWAY AT LOT 6: 768'  
WALKWAY AT LOT 7: 478'

DIMENSION 'A'

AT LOT 5 DOCK: 18.6'  
AT LOT 6 DOCK: 18.8'  
AT LOT 7 DOCK: 17.2'

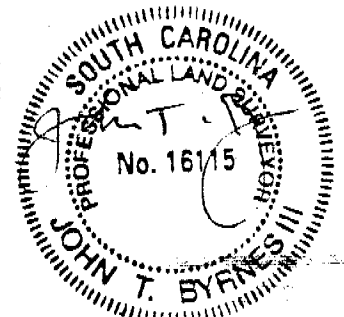
DIMENSION 'B'

AT LOT 5 DOCK: 111.4'  
AT LOT 6 DOCK: 129.6'  
AT LOT 7 DOCK: 128'

APPLICANT: WITO R. PASCULLIS, AGENT  
SC 185  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MCGGETT  
CHARLESTON COUNTY  
TMS #150 00 00 002  
WATERBODY: WARING CREEK

PRIVATE RECREATIONAL DOCK - LOT 5  
PRIVATE RECREATIONAL DOCK - LOT 6  
PRIVATE RECREATIONAL DOCK - LOT 7

NOT TO SCALE

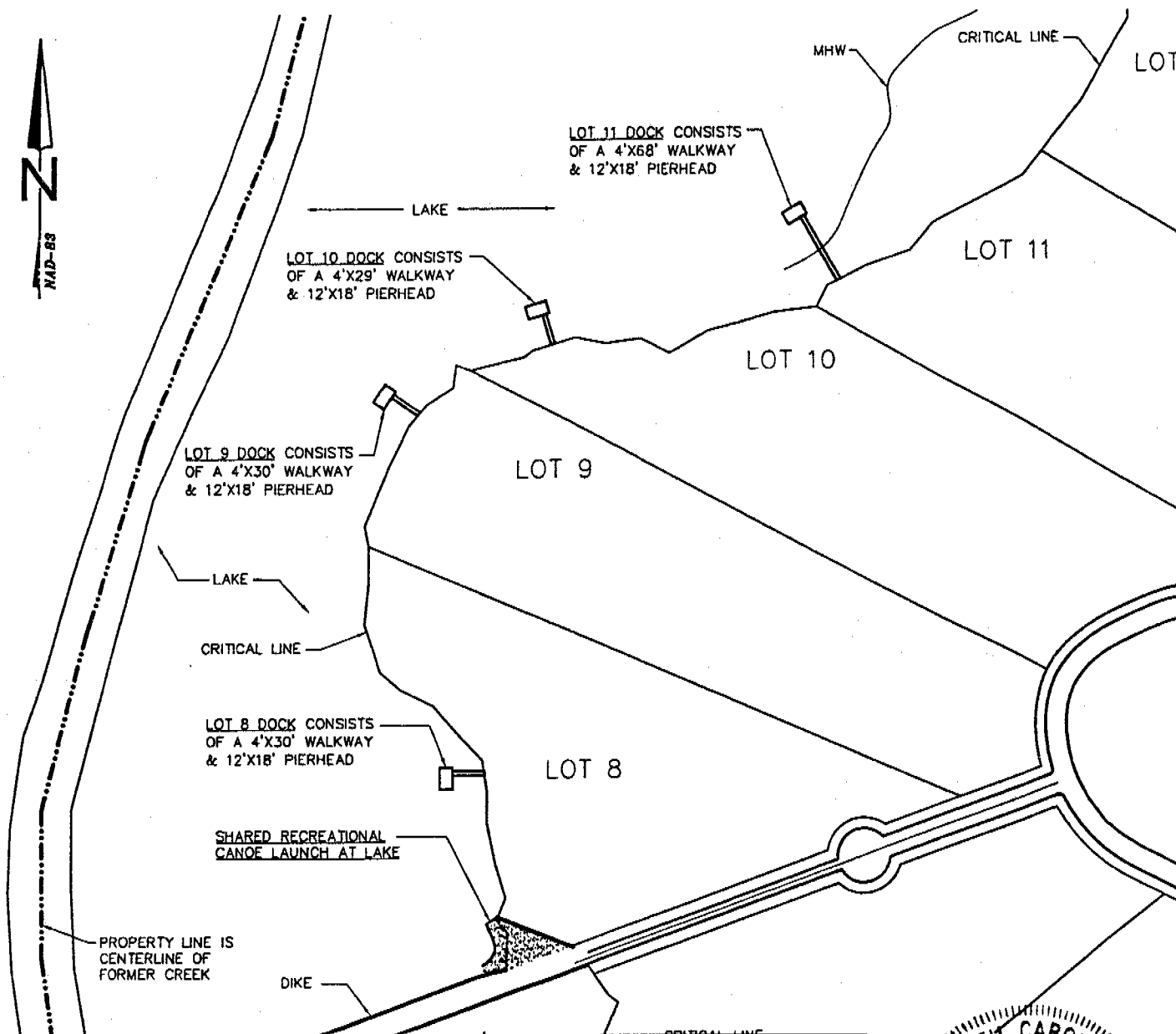


OCRM DOCK

REVISED 21 JULY 2008

**"Sandfield Point" - Pascullis et al  
Multiple Dock Permit Application  
Drawings P/N 2007-2667-1IT thru  
2007-2678-1IT**

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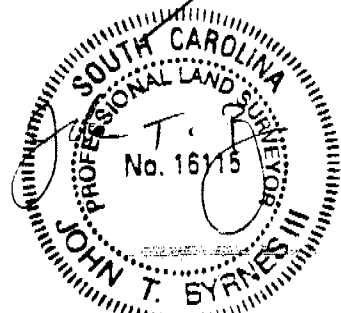
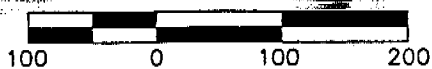


**APPLICANT: VITO R. PASCULLIS, AGENT  
SC 165  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MEGGETT  
CHARLESTON COUNTY  
TMS #159 00 00 002  
WATERBODY: FLOUNDER LAKE**

**SHARED REC. BOAT LAUNCH**

**PRIVATE REC. CRABDOCK AT LOT 8  
PRIVATE REC. CRABDOCK AT LOT 9  
PRIVATE REC. CRABDOCK AT LOT 10  
PRIVATE REC. CRABDOCK AT LOT 11**

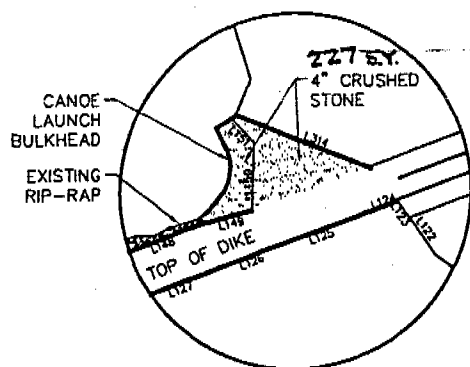
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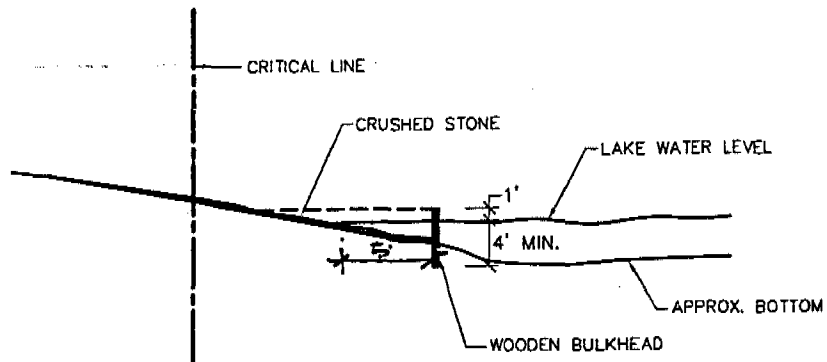
**REVISED 21 JULY 2008**

**OCRM DOCK**

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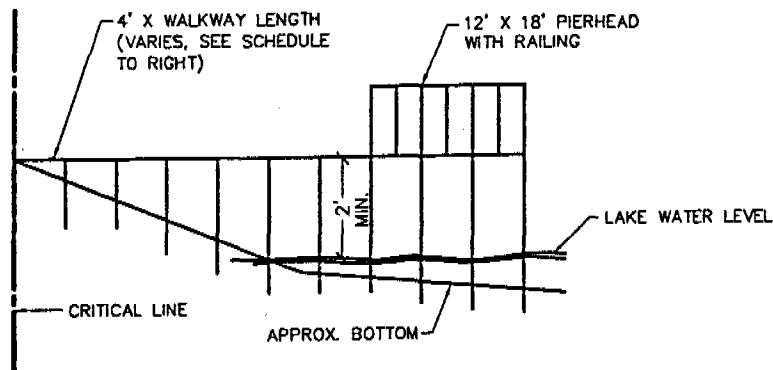


PLAN



SECTION

SHARED RECREATIONAL CANOE LAUNCH AT LAKE



WALKWAY LENGTH

WALKWAY AT LOT 8: 30'  
WALKWAY AT LOT 9: 30'  
WALKWAY AT LOT 10: 29'  
WALKWAY AT LOT 11: 68'

PRIVATE RECREATIONAL CRAB DOCKS AT LAKE  
FOR LOTS 8, 9, 10, AND 11

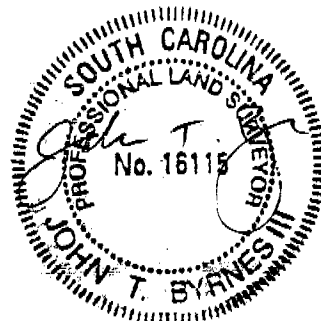
APPLICANT: VITO R. PASCULLIS, AGENT  
SC 165  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MEDGETT  
CHARLESTON COUNTY  
TMS #158 00 00 002  
WATERBODY: FLOUNDER LAKE

SHARED RECREATIONAL CANOE LAUNCH

PRIVATE RECREATIONAL CRAB DOCKS  
AT LOTS 8, 9, 10 AND 11

NOT TO SCALE

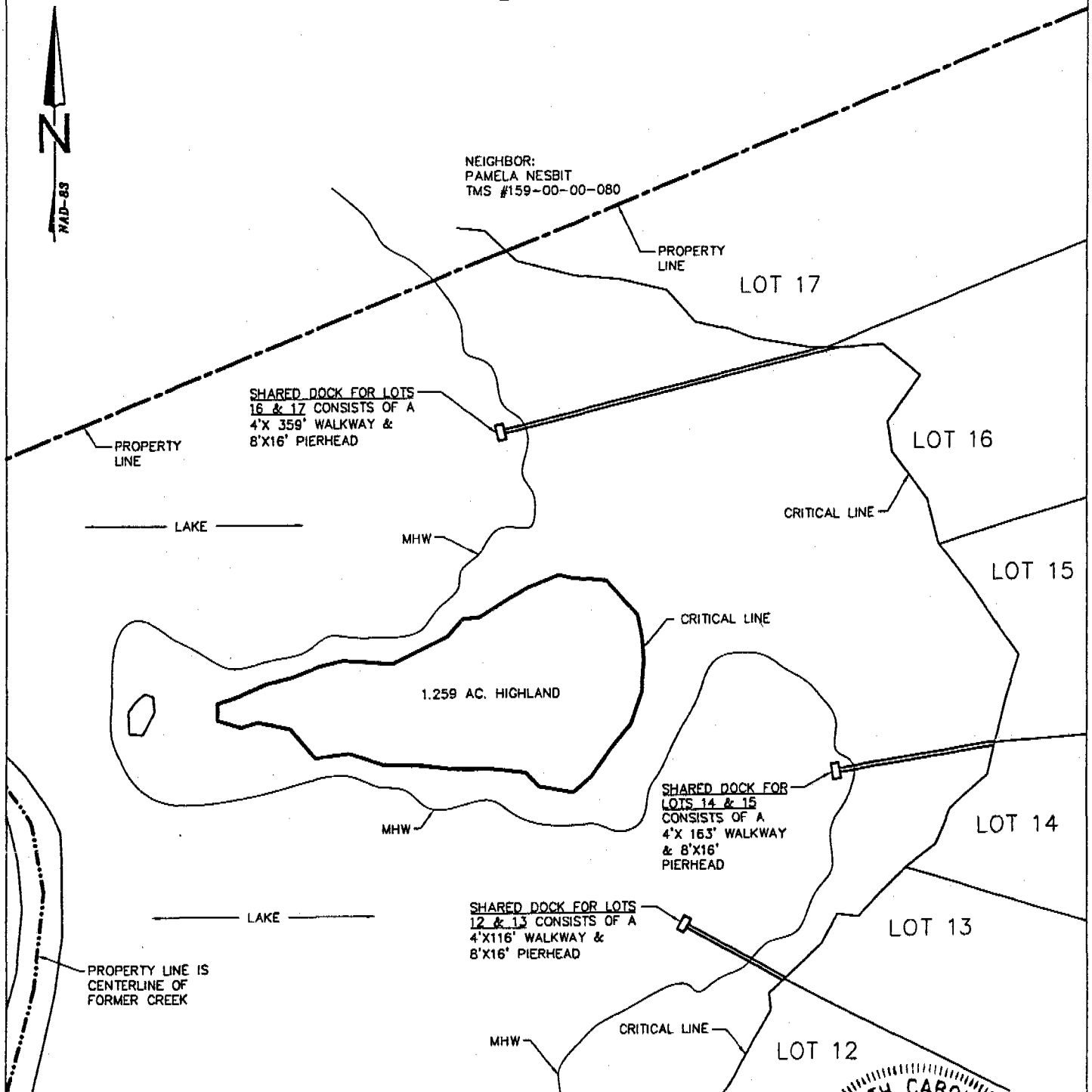
OCRM DOCK



REVISED 21 JULY 2008

"Sandfield Point"- Pascullis et al  
Multiple Dock Permit Application  
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2007-2678-1IT

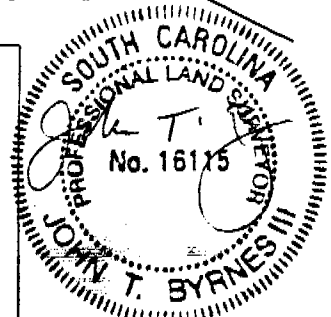
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APPLICANT: WITO R. PASCULLIS, AGENT  
SC 185  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MEGGETT  
CHARLESTON COUNTY  
TMS #159 00 00 002  
WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL SHARED CRAB  
DOCK AT LOTS 12 & 13  
PRIVATE RECREATIONAL SHARED CRAB  
DOCK AT LOTS 14 & 15  
PRIVATE RECREATIONAL SHARED CRAB  
DOCK AT LOTS 16 & 17

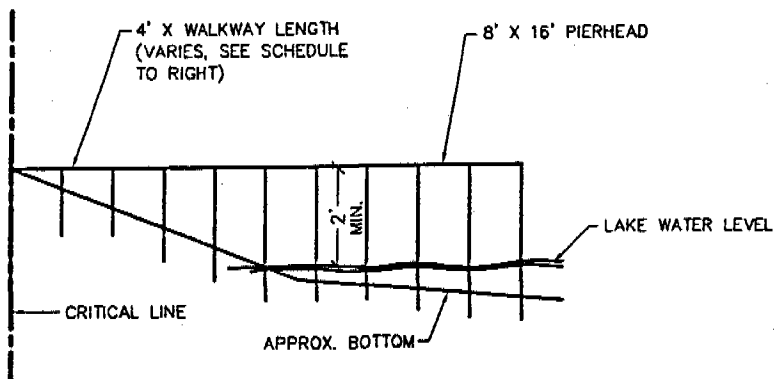
SCALE: 1" = 150'



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OCRM DOCK

(October 24, 2008 Sheet 11 of 12



WALKWAY LENGTH

WALKWAY AT LOTS 12/13: 116'  
 WALKWAY AT LOTS 14/15: 163'  
 WALKWAY AT LOTS 16/17: 359'

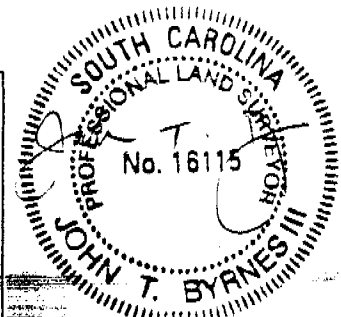
PRIVATE SHARED RECREATIONAL CRAB DOCKS  
AT LAKE FOR LOTS 12 & 13, LOTS 14 & 15,  
AND LOTS 16 & 17

APPLICANT: WITO R. PASCULLIS, AGENT  
 SC 185  
 SUBDIVISION: SANDFIELD POINT  
 TOWN OF MCGOETT  
 CHARLESTON COUNTY  
 TMS #159 00 00 002  
 WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL SHARED CRAB  
 DOCK AT LOTS 12 & 13  
 PRIVATE RECREATIONAL SHARED CRAB  
 DOCK AT LOTS 14 & 15  
 PRIVATE RECREATIONAL SHARED CRAB  
 DOCK AT LOTS 16 & 17

OCRM DOCK

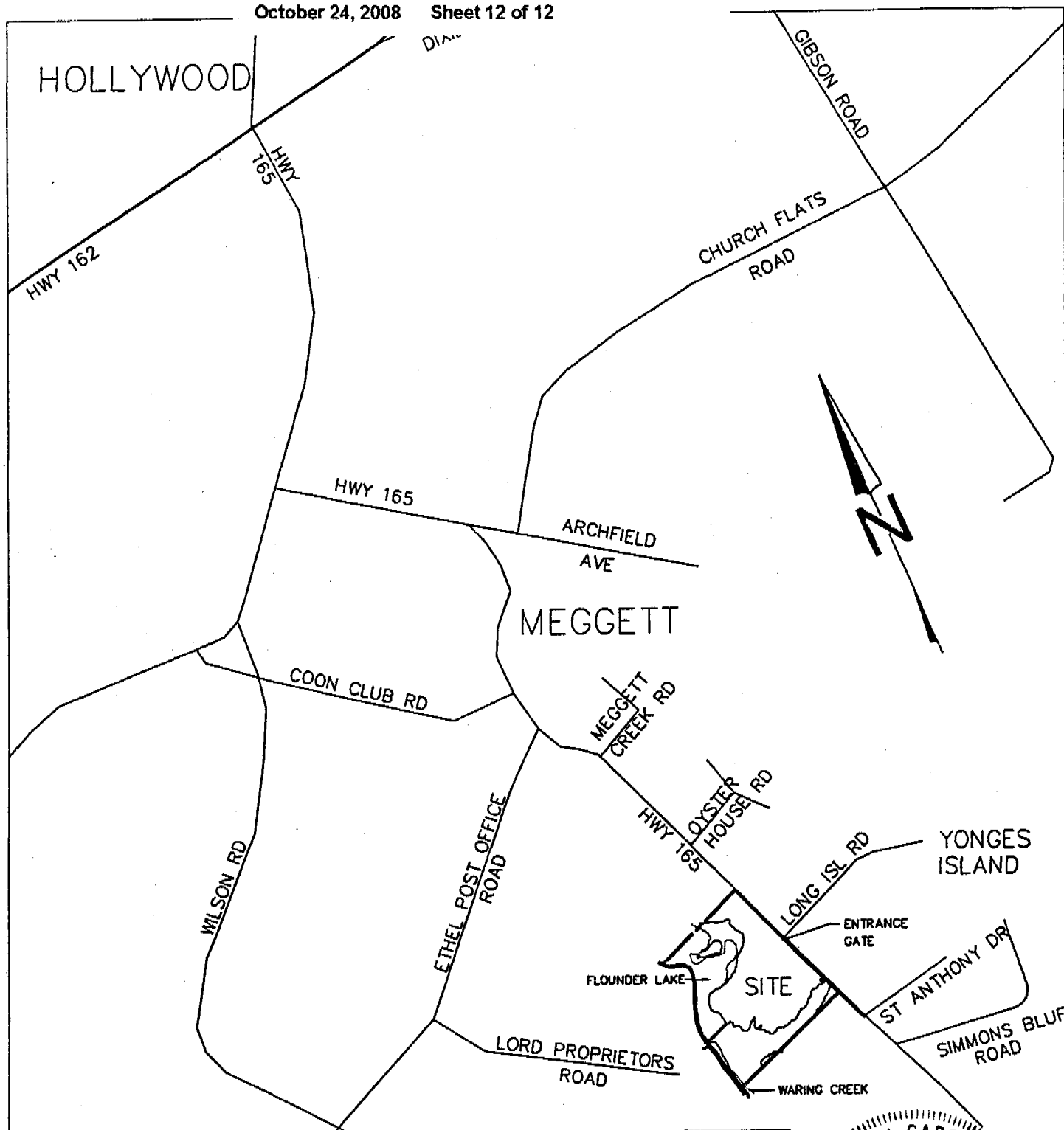
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October 24, 2008 Sheet 12 of 12



APPLICANT: VITO R. PASCELLIS, AGENT  
SC 165  
SUBDIVISION: SANDFIELD POINT  
TOWN OF MEGGETT  
CHARLESTON COUNTY  
TMS #150 00 00 002  
WATERBODIES: WADING CREEK &  
FLOUNDER LAKE

LOCATION PLAN  
NOT TO SCALE

